

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

SOLVAY PHARMACEUTICALS, INC.,

Plaintiff,

v.

Case No. C-1-04-414

DURAMED PHARMACEUTICALS, INC.,

Defendant.

ORDER

This matter is before the Court following a telephone conference held on July 26, 2004. Pursuant to the record established at the conference, defendant's motion to stay (doc. 10) is **DENIED**. Defendant shall pay to plaintiff forthwith the sum of \$18,000,000 which was due on July 16, 2004, plus interest at the rate of 7.5% calculated from the due date. The Court acknowledges that defendant is making the payment under protest and that defendant is not waiving any rights by making the payment. The Court reserves to defendant all rights defendant possessed immediately prior to making the payment.

The Scheduling Order entered on June 29, 2004 (doc. 7) is **VACATED**. The briefing schedule established at the conference is as follows:

August 9, 2004: Defendant shall file its motion to vacate and response to plaintiff's motion to confirm.

August 23, 2004: Plaintiff shall file its response to the motion to vacate.

August 30, 2004: The parties shall file their replies in support of their respective motions and their proposed findings of fact and conclusions of law.

Oral arguments will be held on **Thursday, September 9, 2004, at 9:00 a.m.**

IT IS SO ORDERED.

S/ Herman J. Weber

HERMAN J. WEBER
SENIOR JUDGE, UNITED STATES DISTRICT COURT

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